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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/681,596	05/03/2001	Mats Moren	VCC0063-US	6742
28694 7	590 09/15/2004		EXAMINER	
TRACY W. DRUCE, ESQ.			MILLER, CARL STUART	
1496 EVANS FARM DR MCLEAN, VA 22101			ART UNIT	PAPER NUMBER
,			3747	
			DATE MAILED: 09/15/2004	4

Please find below and/or attached an Office communication concerning this application or proceeding.

			MMM				
		Application No.	Applicant(s)	7			
Office Action Summary		09/681,596	MOREN, MATS				
		Examiner	Art Unit				
		Carl S. Miller	3747				
Period fo	The MAILING DATE of this communication approximation ap	ppears on the cover sheet with	the correspondence address				
THE I - Exter after - If the - If NO - Failu Any	ORTENED STATUTORY PERIOD FOR REP MAILING DATE OF THIS COMMUNICATION nsions of time may be available under the provisions of 37 CFR 1 SIX (6) MONTHS from the mailing date of this communication. period for reply specified above is less than thirty (30) days, a reperiod for reply is specified above, the maximum statutory perior reto reply within the set or extended period for reply will, by statutely received by the Office later than three months after the mailed patent term adjustment. See 37 CFR 1.704(b).	I.  1.136(a). In no event, however, may a repl  2. Poly within the statutory minimum of thirty (3  d will apply and will expire SIX (6) MONTH  ate, cause the application to become ABAN	y be timely filed  10) days will be considered timely.  S from the mailing date of this communication.  DONED (35 U.S.C. § 133).				
Status							
1)⊠	Responsive to communication(s) filed on $\frac{5}{100}$	7/04	•				
2a)□	This action is <b>FINAL</b> . 2b) $\boxtimes$ Th	is action is non-final.					
′=	Since this application is in condition for allow		s, prosecution as to the merits is				
•	closed in accordance with the practice under	Ex parte Quayle, 1935 C.D. 1	1, 453 O.G. 213.				
Dispositi	on of Claims						
4)⊠	Claim(s) 30-41 is/are pending in the application	ion.					
	4a) Of the above claim(s) 37-41 is/are withdra	awn from consideration.					
5)	Claim(s) is/are allowed.						
6)⊠	☑ Claim(s) <u>30-36</u> is/are rejected.						
•	Claim(s) is/are objected to.						
8)	Claim(s) are subject to restriction and	or election requirement.					
Applicati	on Papers						
• —	The specification is objected to by the Examir						
10)	The drawing(s) filed on is/are: a)☐ ac	ccepted or b) objected to by	the Examiner.				
•	Applicant may not request that any objection to the	- ' '					
440	Replacement drawing sheet(s) including the corre	, , , , , , , , , , , , , , , , , , , ,	•				
11)[_]	The oath or declaration is objected to by the I	Examiner. Note the attached C	office Action or form PTO-152.				
Priority ι	ınder 35 U.S.C. § 119						
a)(	Acknowledgment is made of a claim for foreignal All b) Some * c) None of:  1. Certified copies of the priority documents.  2. Certified copies of the priority documents.  3. Copies of the certified copies of the priority documents.  application from the International Bureface the attached detailed Office action for a list	nts have been received. nts have been received in Appiority documents have been re au (PCT Rule 17.2(a)).	lication No ceived in this National Stage				
Attachmen							
·—	e of References Cited (PTO-892)	4) Interview Sun	nmary (PTO-413)				
2) 🔲 Notic	e of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/f	Mail Date				
	nation Disclosure Statement(s) (PTO-1449 or PTO/SB/0 r No(s)/Mail Date	8) 5) Notice of Info 6) Other:	mal Patent Application (PTO-152)				

Application/Control Number: 09/681,596

Art Unit: 3747

Claims 37-41 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on of May 7, 2004.

Claims 30-36 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant Claims regards as the invention.

In particular, claim 30 states that the connecting channel is connected to each intake pipe "of the intake manifold via outlet channels". Unfortunately none of the embodiments shows this feature. The channels of Figure 10, for example, connect to the cylinder head passages but not to the intake manifold. An amendment to Claim 30 is required to clarify the claim.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 30 (as understood) is rejected under 35 U.S.C. 103(a) as being unpatentable over Choma in view of Ishibashi and Diehl.

Ishibashi teaches a gas passage which is part of the intake manifold and feeds gas to each intake adjacent to the cylinder head.

Choma teaches using a separate member attached to a cylinder head to contain a valve and inlet passage going into the intake.

Diehl teaches the use of separate non-return valves in individual gas intake channels.

It would have been obvious to modify Choma by making the common gas passage part of the intake manifold as taught by Choma because this was a known way of creating a more compact structure and by using non-return valves in the channel lines as taught by Diehl because Diehl had recognized the need to keep gases from reversing their flow back into the common line.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carl S. Miller whose telephone number is 703-308-2653. The examiner can normally be reached on MTWTHF.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Henry YUEN, can be reached at 703-308-1946. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Carl S. Miller

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